

§ 159.195

(c) *Development of pesticide resistance.* Information must be submitted concerning substantiation of any incident of a pest having developed resistance to any pesticide (both public health and non-public health) that occurred under conditions of use, application rates and methods specified on the label if either of the following conditions is met:

(1) The survival of the suspected pesticide-resistant pest was significantly higher than that of a known susceptible pest when both the suspected resistant and susceptible pests were treated with the pesticide under controlled conditions.

(2) Biochemical tests or DNA sequencing indicate that the pest is resistant to the pesticide.

§ 159.195 Reporting of other information.

(a) The registrant shall submit to the Administrator information other than that described in §§ 159.165 through 159.188 if the registrant knows, or reasonably should know, that if the information should prove to be correct, EPA might regard the information alone or in conjunction with other information about the pesticide as raising concerns about the continued registration of a product or about the appropriate terms and conditions of registration of a product. Examples of the types of information which must be provided if not already reportable under some other provision of this Part include but are not limited to information showing:

(1) Previously unknown or unexpected bioaccumulation of a pesticide by various life forms.

(2) Greater than anticipated drift of pesticides to non-target areas.

(3) Use of a pesticide may pose any greater risk than previously believed or reported to the Agency.

(4) Use of a pesticide promotes or creates secondary pest infestations.

(5) Any information which might tend to invalidate a study submitted to the Agency to support a pesticide registration.

(b) A registrant is not obligated under paragraph (a) of this section to provide information to the Administrator if the registrant is aware of

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facts which establish that otherwise reportable information is not correct.

(c) The registrant shall submit to the Administrator information other than that described in §§ 159.165 through 159.188 if the registrant has been informed by EPA that such additional information has the potential to raise questions about the continued registration of a product or about the appropriate terms and conditions of registration of a product.

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